



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION
ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT
3430 Court House Drive ■ Ellicott City, Maryland 21043
Administered by the Department of Planning and Zoning

VOICE 410-313-2350
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June Minutes

Thursday, June 7, 2018; 7:00 p.m.

The June meeting of the Historic Preservation Commission was held on Thursday, June 7, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Reich moved to approve the May minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Member absent: Allan Shad

Staff present: Beth Burgess, Samantha Holmes, Dan Bennett, Renee Novak, Lewis Taylor, Yvette Zhou

OTHER BUSINESS

1. Ellicott City Design Guidelines Update
2. Notice: July meeting will be held Wednesday, July 11th
3. Ellicott City Flood Update

PLANS FOR APPROVAL

Regular Agenda

1. HPC-18-31 – 6680 Martin Road, Columbia, HO-37
2. HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City
3. HPC-18-33 – 8167 Main Street, Ellicott City
4. HPC-18-34 – 7134 Montgomery Road, Elkridge
5. HPC-18-35 – 6170 Lawyers Hill Road, Elkridge
6. HPC-18-36 – 3592 Fels Lane, Ellicott City
7. HPC-18-37 – 3592 Fels Lane, Ellicott City

OTHER BUSINESS

Ellicott City Design Guidelines Update

- At the June 7, 2018 HPC meeting, we will be seeking public comment on Chapters 7 and 8 from the [existing Design Guidelines](#).
- To help guide you in reviewing these chapters, please consider if there are items that need clarification, better definitions or if there are missing subject matters.
- The existing Design Guidelines, as well as future meeting dates (once available) will be posted on the website: www.howardcountymd.gov/ECdesignguidelines.

There was no one who wanted to testify on Chapter 7 (new constructions, additions and outbuildings) and Chapter 8 (new construction of principal structures) of the Ellicott City Design Guidelines Update.

The July meeting will be held Wednesday, July 11th

The July HPC meeting will not be held on July 5, but will be moved to the following week, Wednesday, July 11. The application deadline remains June 13.

Ellicott City Flood Update

Ms. Burgess showed a presentation of lower Main Street, mid Main Street and the West End. The slides illustrated a side by side comparison of the structures after the 2016 flood on the left and 2018 flood on the right side. Ms. Burgess pointed out that most of the items approved by the Commission withstood last month's flood. The presentation provided the Commission a good overview of existing building conditions and possible emergency HPC meetings ahead.

REGULAR AGENDA

HPC-18-31 – 6680 Martin Road, Columbia, HO-37

Advisory Comments for site development plan.

Applicant: Maria E. Miller, Shelter Development, LLC

Background & Scope of Work: This property is listed on the Historic Sites Inventory as HO-37, Athol. This property is not located in a historic district. The building dates to 1740, with alterations in the 18th, 19th and 20th centuries. In June 2014 the Commission reviewed a plan for Advisory Comments for the subdivision of this property to contain 11 single family detached lots, with the historic house to remain. Those development plans did not take place, and the property came under new ownership in 2016.

The property consists of 6.69 acres and is zoned CEF-M (Community Enhancement Floating – with mixed residential and commercial). The current plan proposes to create 3 buildable lots and will retain the historic house on one of those lots. A non-historic garage is proposed to be demolished.



Figure 1 - Site location



Figure 2 - Front facade of house

A senior living building will be constructed on the northern portion of the site. The site will be accessed from Martin Road and the entrance will be widened to accommodate two-way traffic. The application explains that:

“the building has been sited down the hill from Athol Manor to maintain the original home’s prominence. Care has been taken to maintain a generous distance from the Manor, and lawn and landscape will buffer the Manor from the new construction. Additionally, the building has been located to respect the visibility and viewshed of the Manor. With respect to scale, the shortest part of the building has been placed facing toward the Manor so as not to crowd or overbear the structure.”

Athol Manor is located adjacent to Martin Road Park and sidewalks will connect the senior living building to a new overlook area at the park and connect the Manor to the park.

The architecture of the senior living building was inspired by the Manor and will consist of a stone veneer, to be similar in shape, scale and color. The large chimneys on the Manor have been integrated into the design of the new building as seen on the front façade of the new building. The elongated windows on the Manor inspired the design of the windows on the new building.

Renovations are also planned for Athol Manor. The application explains the current conditions of the house and explains that:

“the house is in disrepair and has no working water or sewer. Although boarded up, and protected by fence and barbed wire, the house has frequently been vandalized. Once renovated into offices, the house will be donated to a local non-profit organization, along with a grant for additional maintenance. An ADA compliant ramp will be added to the structure. The ramp will be placed toward the back and will connect to the least historic part of the structure. By connecting to the more modern addition and composite deck we aim to preserve the integrity of the original stone structure. Minimal parking and a landscaped turnaround will be located in front of the Manor, and overflow parking will be located downhill.”

Staff Comments: Overall the design complies with Section 16.118 of the subdivision and land development regulations for the protection of historic resources. The section in Figure 3, shows how the new structure will relate to the historic structure. As explained in the application, the shortest side of the new building will face the historic structure. As a result, the new building will not overpower the historic building.

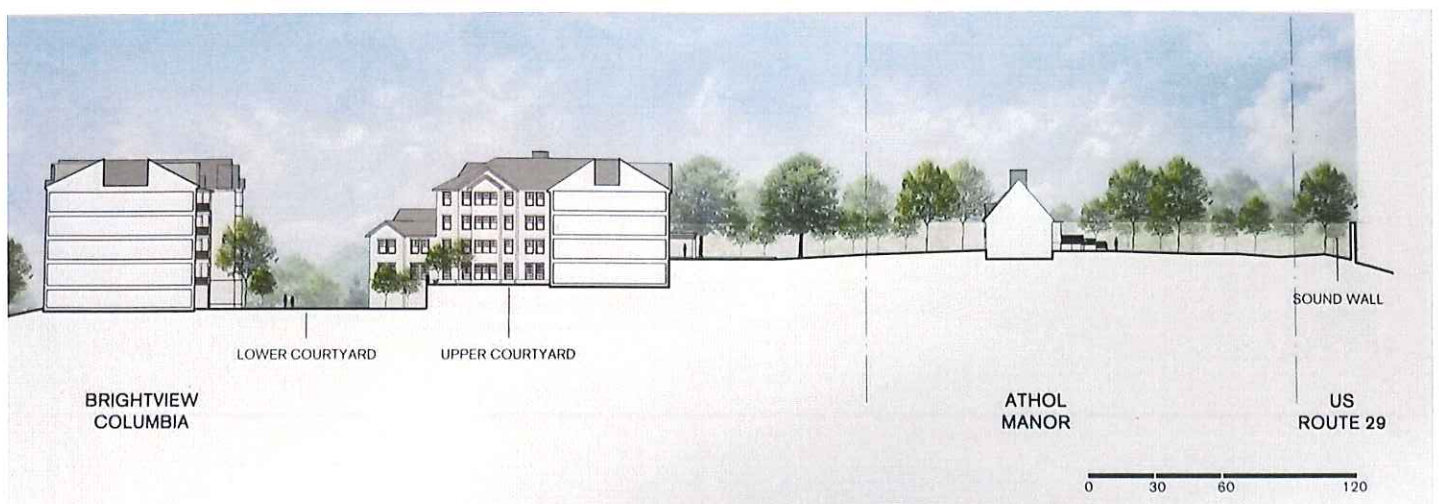


Figure 3 - Section new construction compared to historic building

Additionally, the new building was pushed as close to the eastern property line as possible, along Route 29, in order for the viewshed of the historic house to remain intact, which complies with Section 16.118(b)(4), "the new subdivision road should be sited so that the lot layout does not intrude on the historic resources. The road should be oriented so that views of the historic property from the public road are of its primary façade." The view will not be of the primary façade of the historic structure, but it is not currently so as the property is landlocked and has been so for many years. The new driveway will remain in the same location as the existing driveway. The view of the rear of the historic structures (which can easily be confused with the front due to the design) will be visible with the new building being pushed against the eastern property line.

Section 16.118(b)(1) states, "Historic buildings, structure and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting." The historic building will eventually be retained on a single lot. Section 16.118(b)(2) states, "Whenever possible, historic resources should be integrated into the design of the subdivision or site plan. If compatible, new and historic structures may be juxtaposed. Alternately, open space may be used to buffer the historic resources from new development." The new building and historic structure will achieve both; landscaping will connect and integrate both structures, but yet open space will also provide a buffer from the new development. The subdivision regulations also recommend that access to the property be via the existing driveway, wherever possible. The driveway will remain in the same configuration and will run along the west side of the property, ending with a loop in front of the historic house, but will be slightly expanded to include parking within the loop and western driveway.



Figure 4 - Rear of house facing new development



Figure 5 - Proposed driveway configuration



Figure 6 - Existing driveway configuration

Staff Recommendation: Staff has no objection to the plan and finds the new development will complement the historic structure and provide a needed rehabilitation and adaptive re-use.

Testimony: Ms. Zoren recused herself. Ms. Tennor swore in Maria Miller of Brightview Development. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms. Miller gave a brief presentation on the development. She said the 6.7 parcel is located at the intersection of Martin Road and Seneca Drive. She explained that Athol Manor is on the southern side of the parcel and the building is listed on historic inventory as HO-37, Athol Manor. Ms. Miller said the adaptive reuse strategy is to integrate the historic manor as a key component of the overall development

Ms. Miller said the original manor was built around 1732-1740 and the stones were quarried on site. The manor is one the oldest residential homes in the County. The manor is set back far from the public view and has been vandalized. Ms. Miller said the property was boarded twice (ordinally from the inside and then again from the outside once the windows were being broken) and a chain link fence installed the perimeter to secure the property with permission from the owner. Unfortunately, the building continued to be vandalized. Ms. Miller said after Brightview acquires the property, further security measures will be taken to protect the building. Ms. Miller said she asked for owner's permission to restore power to minimize impacts like humidity damage to the structure over the summer

Ms. Miller said Brightview's goal on the interior is to preserve the original bannister and other historical architectural features of the Manor. Ms. Miller said the garage did not appear to be historic- the windows are vinyl and appear to be modern. The plan is to remove the garage, then widen the driveway from 10 feet to 24 feet to allow cars to pass on the driveway.

Ms. Miller said Brightview plans to gift the restored manor to the Community Foundation of Howard County. Ms. Miller said Brightview will grant the Foundation a replacement and reserve account to maintain the property in the future. Ms. Miller said the County requires the Foundation to open the Manor to the public. Therefore, an ADA ramp will be installed on the side of the newer addition along with the new deck to preserve the building's original features.

Ms. Miller said the project will consist of 170 units in the senior building on the northern portion of the site. The proposed designs maximize the prominence of the historic building. Ms. Miller said the viewshed of the historic building is preserved by pushing the senior building as far as possible to the east of the site, along the Route 29 soundwall. Ms. Miller said Brightview plans to provide a walking path connecting the development to the Martin Road park. Ms. Miller said the design incorporates the natural grade of the site. The highest elevation is 384 feet at the southern end of the site where the Manor is located and the grade drops heading north of the site. Ms. Miller said each Brightview Community is uniquely designed to be compatible with the surrounding neighborhood. Therefore the proposed elevations for the senior building are compatible with the aesthetics of Athol Manor.

Mr. Roth asked for an explanation of the 3 buildable lots. Ms. Miller said the most northern lot, Lot 1, will be dedicated open space. Lot 2 will be the senior building and Lot 3 is where Athol Manor is.

Mr. Reich complimented the preservation of Athol Manor with an adaptive reuse solution. Mr. Reich asked about a landscape plan. Ms. Miller said landscape details will be submitted later. Mr. Reich said the color rendered site shows landscaping and presents a general idea of what it will look like. Mr. Reich

said the scale of the design overpowers the mass of the historic structure, but the design was done well given the constraints. Mr. Reich said gifting the manor to the Foundation is a great idea.

Ms. Tennor said the project could be a model for other historic properties within new developments in the County. Ms. Tennor asked if the preservation work will start before building permits. Ms. Miller said Brightview does not own the property yet. Ms. Miller said the site and building permit approval is anticipated around the third or fourth quarter of 2019, which is when ownership will transfer.

Ms. Tennor asked if there is anyone who wanted to testify. Ms. Tennor swore in Fred Dorsey, President of Preservation Howard County. Mr. Dorsey said he has been involved with the Shelter group since the beginning of the project by providing historic reference to the developer. Mr. Dorsey was concerned that the house continued to be vandalized and agreed that further measures are needed to secure the site. Mr. Dorsey complimented the proposed design and the grant to the Foundation.

Motion: There was no motion. The application was for Advisory Comments.

HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Avinash Dewani, Howard County Department of Public Works

Background & Scope of Work: These properties are located in the Ellicott City Historic District. While there are historic and modern buildings on these properties, the application deals with site alterations. The Department of Public Works, Real Estate Services Division, is in the process of acquiring easements for the parcels that are privately owned that this project falls within. The application is for the stabilization of a slope, that contains trees and a historic stone wall, along Court House Drive. At this section of roadway there is a stream and culvert that runs under the road. The application explains, “the existing natural stone headwall at the outfall of the pipe has experienced significant cracking and is severely damaged. The downstream embankment slope has erosion in several places. Runoff has resulted in damage to the existing gabion basket supporting the road edge at the top of the roadway embankment, and the cracks have developed in the roadway.”

The Applicant proposes the following:

- 1) Replace the existing asphalt curb and damaged curb opening with a concrete curb.
- 2) Bury the existing stone wall and add fill to create a more stable slope.
- 3) Install two combination inlets and a storm drain to capture roadway runoff from Court House Drive and convey the runoff to the suitable outfall close to the stream, to reduce the flow on the road embankment.
- 4) Replace the damaged portion of the existing 36" RCP storm drain pipe and extend and line with concrete.
- 5) Regrade the outfall and stabilize to reduce the flow of velocity from the pipe.
- 6) Remove 11 trees that are 12 inches or greater DPH, including one 30.5-inch tulip poplar specimen tree. The specimen tree is located along the southwest edge of the limit of disturbance adjacent to the proposed grading that will affect more than 33% of the critical root zone.

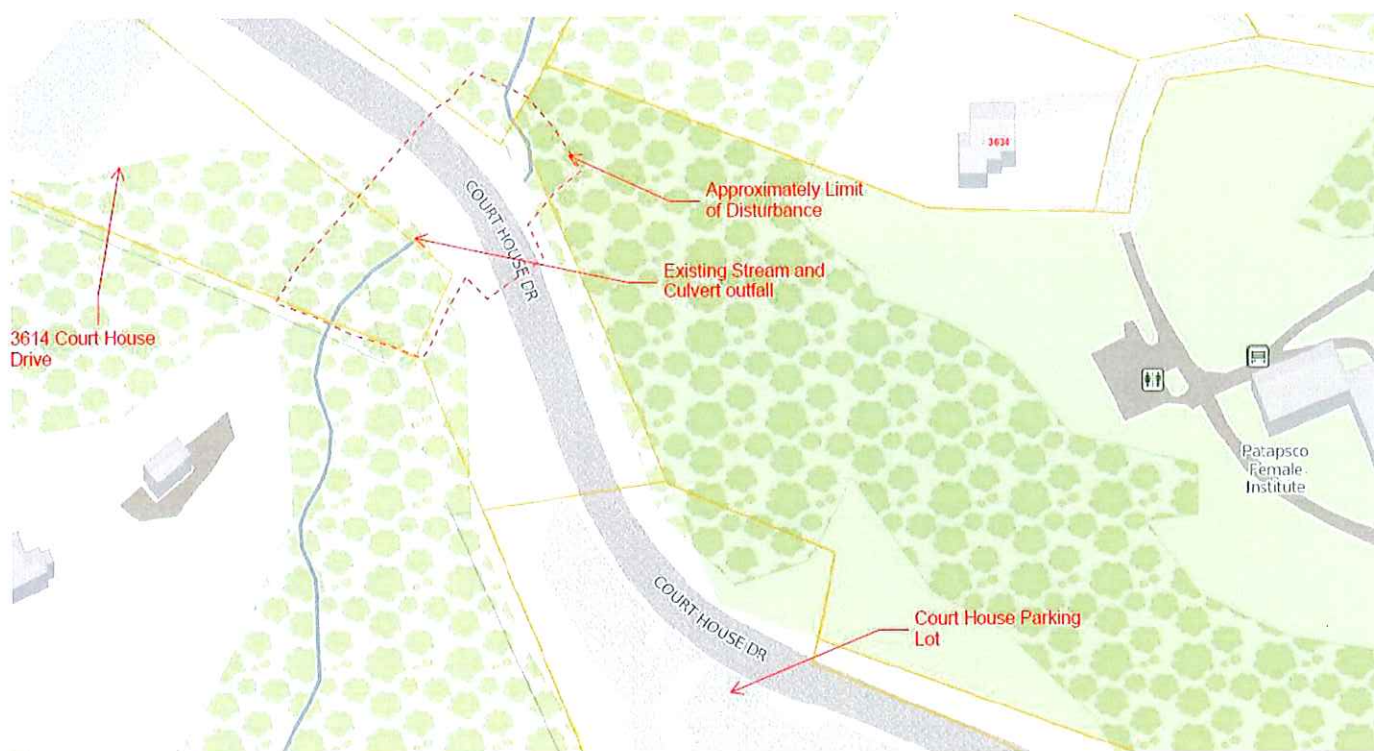


Figure 7 - Site map of project

Figure 8 below shows the existing stone wall on the south side of Court House Drive, that is proposed to be buried. The date of the wall is unknown, but the Applicant believes it may date to the construction of the road. Staff finds the wall is a historic wall that most likely dates to an earlier, lower road bed, as it would be unusual for the current road to have been constructed with stone instead of concrete. Figure 9 is an example of what the side with the stone wall will look like after it is buried.

Staff inquired if a structural analysis of the wall was done and the consultant replied, "We did not do any structural analysis of the wall. The degree of damage the wall has already sustained, and the variability of wall materials and their overall integrity would make it very difficult to accurately analyze the structure; doing so would likely require a test hole, which could further compromise the slope and wall stability and roadway safety. We also needed to lessen the steepness of the roadway embankment slope to make it stable and we could not do that with the existing wall."



Figure 8 - Existing stone wall



Figure 9 - Example of site after burying wall

Eleven trees are identified for removal due to their location within the project area, but there is no information on the health of the trees. The trees to be removed are identified on the site plan and include:

Tree ID #	DBH (Diameter at Breast Height)	Common Name of Tree
22	13 inches	Boxelder
23	13 inches	Black Locust
25	24.5 inches	Tulip Poplar
26	14.5 inches	Boxelder
29	30.5 inches	Tulip Poplar (specimen)
30	16.5 inches	Tulip Poplar
31	19 inches	Tulip Poplar
41	20.9 inches	Green Ash
42	12.5 inches	Beech
43	12.5 inches	Tulip Poplar
52	16 inches	Red Maple

Figure 10 - Trees to be removed

Staff Comments: The application does not comply with the recommendations in the Ellicott City Historic District Design Guidelines. Chapter 9 explains, "Ellicott City's natural setting is essential to its character...Ellicott City's buildings and streets were fitted into the steep hillsides without major changes to the natural land forms. Retaining walls or the outer walls of buildings have been used to terrace the land to create the narrow, level areas needed for buildings, roads, gardens and other improvements." Chapter 9 recommends, "retain landscaping patterns that reflect the historic development of the property" and "preserve historic features, such as retaining walls, freestanding walls, fences...and steps. When possible, reuse the historic building material to repair or restore these structures." The stone wall is most likely a historic landscaping element and the burial of the wall would not comply with the Guidelines.

Chapter 9.B recommends against, "the removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures." There is cracking evident in the stone wall, however there are also trees growing into the wall, which are contributing to the damage. The trees should have been removed and should not have grown to this size. The removal of these trees would comply with the Guidelines as they are damaging a historic structure. The wall should be repaired, and repointed and weep holes installed as need to allow for proper drainage.



Figure 11 - Cracking in stone wall

An alternate plan for stabilization of the slope that does not bury the historic stone wall and minimizes removal of trees should be identified. There was no evidence submitted within the application that shows the cracking of the stone wall is due to anything other than trees growing into the wall and lack of proper drainage.

Staff Recommendation: Staff recommends an alternate scheme for the stabilization of the slope be considered rather than burying the wall. Staff recommends approval of the concrete curbing and the removal of trees that are growing into the stone wall and slope between the wall and Court House Drive, which includes trees 30 and 31.

Testimony: Ms. Tennor swore in Avinash Dewani from the Department of Public Works. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Mr. Dewani explained that this is a public improvement project where slope stabilization was performed, but the slope is still failing, causing cracks on the road and compromising the integrity of the road. Mr. Dewani said the proposed design to bury the wall in order to make the roadway safe is the best option.

Mr. Reich asked where the old wall is on the plan. Mr. Dewani showed the Commission where the wall is on the plan. Ms. Tennor asked Mr. Dewani to provide a copy of his drawings to Staff for record. Mr. Reich said the wall can be saved or rebuilt and refaced with the surrounding stones by removing the old mortar and repointing to preserve the historic wall. Mr. Reich said the Commission values the preservation of historic stone walls in Ellicott City. Mr. Dewani said the wall may be rebuilt but the slope stability issue remains.

Mr. Dewani said the wall is not visible from the road. Mr. Reich asked about the estimated project cost. Mr. Dewani said the estimated cost is about \$1 million. Mr. Reich estimated the cost to rebuild the wall to be around \$50K and stated the importance for preserving the historic wall. Mr. Dewani said his team can review Mr. Reich's recommendations since more studies and details are needed.

Ms. Zoren said she agreed with Staff's comments. She said the proposed solution is a very suburban solution without quantification of the stormwater management downhill. Mr. Dewani said the project is to save the roadway, not to improve water quality. Mr. Dewani said the proposal is the most economical way. Ms. Tennor said the Commission is not in favor in the lowest cost option, but the best preservation option.

Mr. Roth said the wall in the current location has historic value. Mr. Reich said the wall was once the historic access to the old court house. Mr. Dewani said he values that the wall is historic, but explained the wall is not visible from public view, even local residents do not know it exists. Mr. Dewani said part of the wall is on a private property and the County is working to get an easement from the property owner.

Ms. Zoren said rebuilding the wall with concrete then facing with the existing stone has less site impact. Mr. Dewani said any structure the County builds becomes the County's responsibility to maintain. Mr. Dewani said he will consult further with his team on alternate solutions.

Mr. Bennett said the wall appeared to be gabion. Mr. Bennett asked how many feet of dirt are needed to bury the wall. Mr. Dewani said about 4-5 feet of dirt. Mr. Bennett was concerned that dirt will not stay in place. Mr. Dewani said the soil will be a selective type to maintain the stability of the slope.

Mr. Reich asked to clarify if the pipe beneath the wall will be damaged. Mr. Dewani said the pipe will be extended further from the wall which will not damage the pipe. Mr. Dewani said about 4 feet of the pipe behind the wall is already damaged and will be removed. Mr. Dewani said the concern with the wall is the lateral failure. Mr. Bennett asked how far the fill will be installed beyond the wall. Mr. Dewani said about 25-30 feet. Mr. Reich said the pictures do not seem to show lateral failure of the wall. Mr. Dewani

said there are cracks in the wall, but the upstream slope of the wall is the concern. Mr. Dewani said the intention is to move forward quickly to address the safety concern of the roadway.

Mr. Reich recommended changing the application to Advisory Comments and returning to show a scenario to preserve and rebuild the historic wall and save specimen trees.

Ms. Tennor asked if the Applicant is willing to amend his application to Advisory Comments. Mr. Dewani said yes, and he can bring consultants and engineers to the next meeting.

Mr. Bennett asked if the pipe has failed. Mr. Dewani said there is no water behind the wall, but the concrete pipe has a crack. Mr. Roth asked if the concrete pipe could have been installed after the wall. Mr. Reich said yes.

Motion: There was no motion. The application was amended to Advisory Comments.

HPC-18-33 – 8167 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Long Chen

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1987 and as such, is not historic. The Applicant proposes to remove the existing awning on the storefront and install a new shed style awning. The new awning will be 30 inches high by 24 deep x 204 inches wide. The awning will be black with white letters. The awning will have a graphic and then the name of the business (on one line): TASTE

The awning will be constructed of black Sunbrella fabric. The text on awning will be 26 inches high by 80 inches wide (including the graphic in the width), which roughly comes out to 14.44 square feet. However, the text and graphic are being applied directly to the awning and there will be not be separate background, so the overall square footage will be less than 14.44 square feet.

Staff Comments: The request for an awning generally complies with Chapter 6.L recommendations, "When installing awning or canopies, use shed-style awnings that are scaled appropriately for the building size and window spacing. Awnings should be made of nonreflective canvas or another strong fabric, in a color compatible with the building façade." The awning is shed style, but will not have the typical valance. The Guidelines recommend, "provide a 10-inch to 12-inch valance on awnings. On commercial buildings, use only the awning's valance for signage." Because a 10-12 inch valance will not be on the awning, the size of the text proposed is larger to fit more proportionally on the shed style awning. The storefront windows are about 35 inches each, with 2-inch wood trim. This makes the two storefront windows (text is located above these windows) 76 inches frame to frame. The rendering looks like the entire message would fit within the two windows, but the dimensions indicate otherwise.



Figure 12 – Proposed awning

The rendering does not appear to be to scale. Based on the size of the text and graphic, the square footage of the sign is 14.44 square feet. However, this number is likely less as there is no separate background. A reduction in the height and width of the text and graphic, to 20 inches in height by 72 inches wide, would better comply with the Guidelines, but still fit proportionally on the awning.

Staff Recommendation: Staff recommends approval of the awning, and a reduction in the size of the text and graphic.

Testimony: Ms. Tennor swore in Long Chen. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms. Chen said her client is ok with the Staff recommendation, but preferred the larger font scale. Mr. Taylor asked if there are graphics. Ms. Chen said yes. Mr. Reich said the proportion and size of the sign is important in the historic district.

Ms. Zoren asked about the recommended dimensions. Ms. Holmes said Staff recommended reducing the sign to 20 inches high by 72 inches wide. Ms. Long said the actual size should be 20 inches high by 66 inches wide to keep in proportion. Mr. Tennor asked if the graphic next to the word “Taste” is fixed. Ms. Chen said yes to maintain proportion, the designs have to be scaled together. Mr. Reich asked if the 20x66 will consist of the total graphic, including text. Ms. Chen said yes. Ms. Tennor said the graphic is very close to the edge of the awning. Mr. Taylor said the photo is not to scale.

Ms. Tennor said the graphic can be reduced. Mr. Roth said the Applicant’s proposal of 20 inches high by 66 wide is reasonable.

Motion: Mr. Roth moved to approve the application with text and graphic to be no larger than 20 inches high by 66 inches wide. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-34 – 7134 Montgomery Road, Elkridge

Advisory Comments for Site Development Plan

Applicant: Priscilla Ruiz Monterroso

Background & Scope of Work: This property is not located in a historic district or listed on the Historic Sites Inventory, but is a historic structure that dates approximately to 1866. The Applicant proposes to build an addition to the church and seeks Advisory Comments from the Commission on the site development plan for the addition to the church. The front of the church faces southeast. The street runs along the north side of the church building. The Applicant proposes to construct the addition along the south side of the church, adjacent to the front corner.



Figure 13 - Aerial view of site

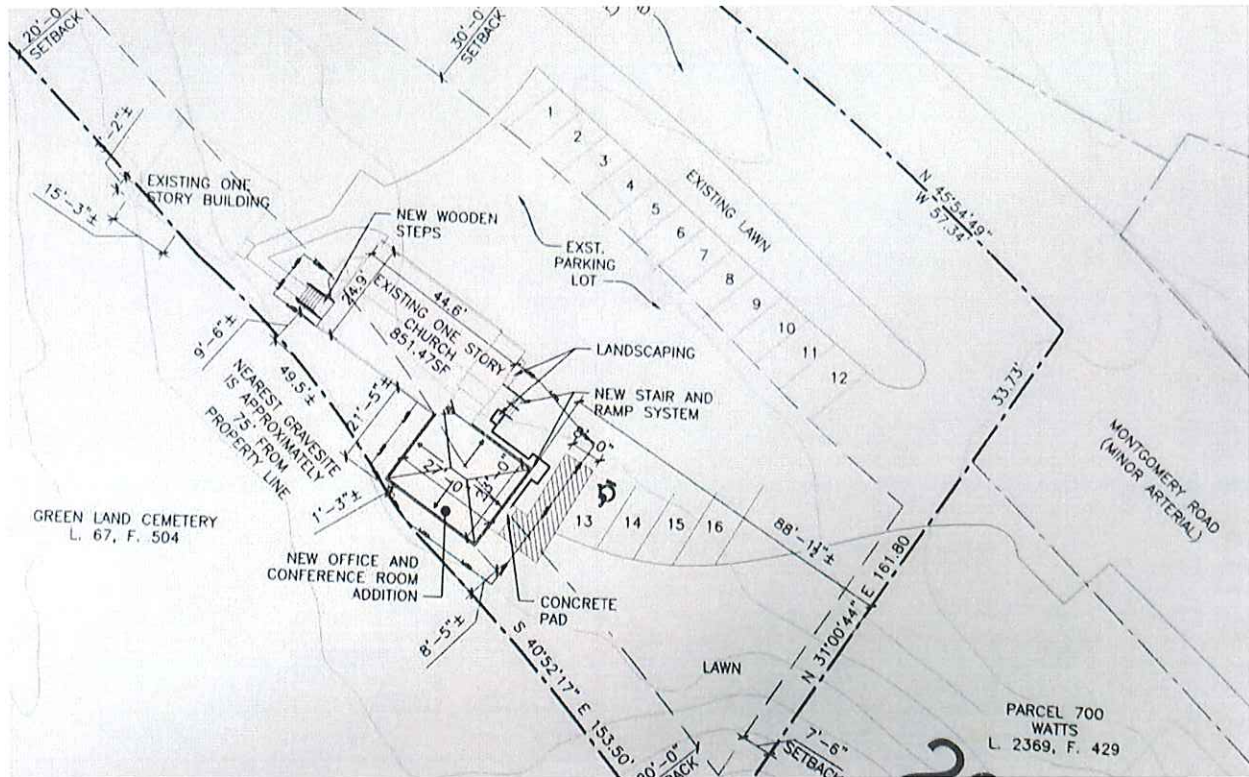


Figure 14 - Site plan showing proposed addition

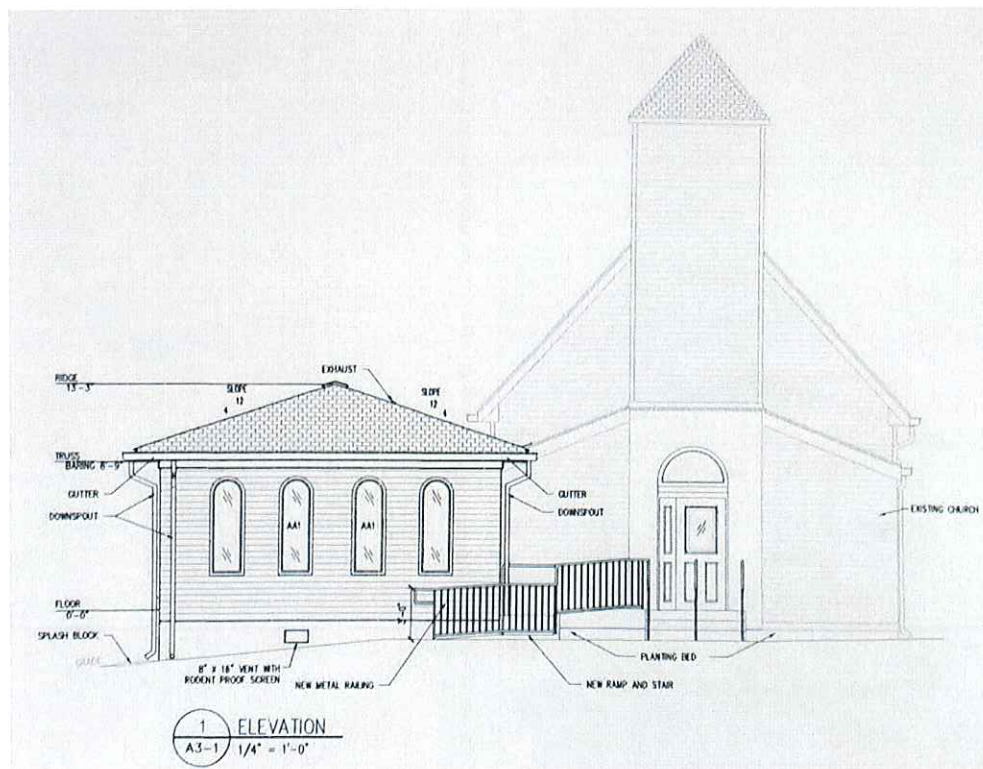


Figure 15 - Elevation showing proposed addition

Staff Comments: Additions to historic structure should be attached to the rear of buildings. This addition will be located on the front corner and will be highly visible. The location of the addition on the front of the building does not comply with the Secretary of the Interior Standards for Rehabilitation, Standards #2 and #9.

- #2 - The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- #9 – New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The front of a historic building is the most character defining part of a building and the spatial relationship of the church to its surroundings will be comprised by the placement of the addition. If possible, the addition should be moved to the rear of the building, where the front façade and form of the church and steeple will remain intact.

The less visible facades of the new building, the rear (northwest view – Figure 16) and side (northeast view – Figure 17) elevations both contain rectangular windows. From the rear view, the arched windows on the historic building are highly visible next to the proposed rectangular windows. The addition is not a large building and it would be more consistent and historically appropriate for all of the new windows to be the simple arched window, rather than mixing types.

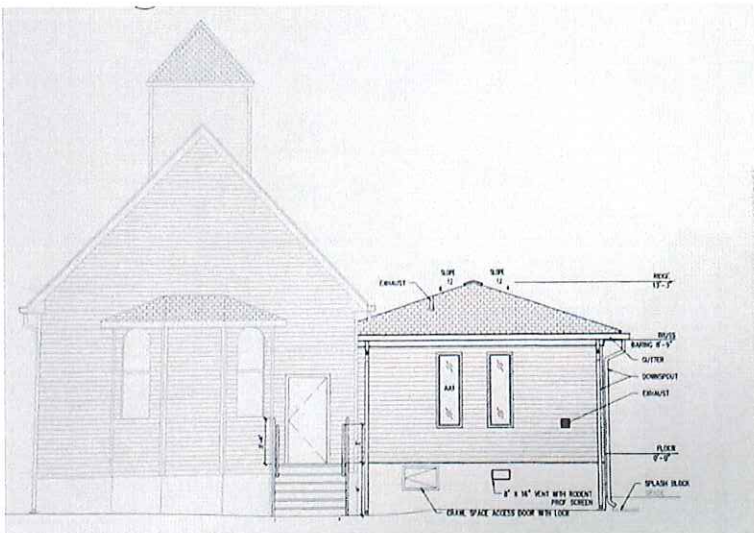


Figure 16 - Rear elevation

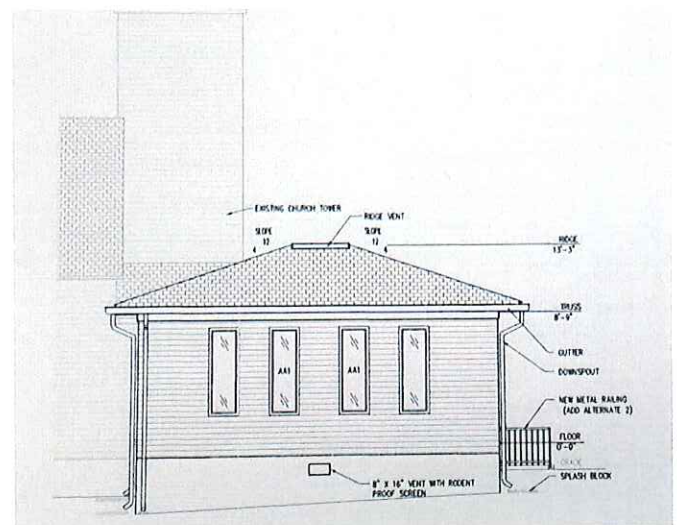


Figure 17 - Side elevation

Staff Recommendation: Staff recommends:

- 1) The addition be moved to the rear of the property
- 2) The windows in the addition be one consistent type using the arched window, to be compatible with the historic church.

Testimony: Ms. Tennor swore in Priscilla Ruiz Monterroso and Kathleen Sherrice, the project architects. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms.

Sherrice explained that while the front of the building is where the entrance is located the front of the church is where the altar is located, which is on the rear of the building. Although the addition is on the front of the building, it is not considered the front of the church. The altar area is sacred in church architecture and has a pronounced shape to the rear of the building.

Ms. Sherrice said consideration was given to pull the proposed addition further away from the road, but the church property lines were reduced when the road was widened. The bathroom is on the side of the church entrance to the church. . The church has vinyl siding with no fixed benches inside.

Ms. Ruiz explained the plan proposes to enlarge the existing bathroom and install an ADA ramp and parking, allowing easier access. Ms. Ruiz said a new woman's restroom will be in the addition with ADA access. She said that the church currently has no office. The proposed addition will have a conference room and office. Ms. Ruiz said in the rear of the church, a new exterior door will be installed that will be compliant with the current building code.

Mr. Reich asked if the building is within a 20-foot setback. Ms. Sherrice said yes, the proposed design was approved for a building permit in 2007 with a standing variance. Mr. Reich asked about time limit on the variance. Ms. Sherrice said the variance was granted in 2015 with 2 years left before expiration.

Mr. Reich agreed with Staff and said the addition in the front took most of the historical context of the church facade. Ms. Sherrice said there is a stained-glass window over the front doors that will be preserved. The arched windows, while old and now historic, were not original but added later.

Ms. Tennor said from a historic preservation perspective, the front is the façade not the placement of the altar. Ms. Sherrice said the building does not face the road but the side of the building faces the road. Ms. Sherrice said given the constraints, there is no separation between the original and new addition and there is limited plumbing connection. This was the only possible solution.

Mr. Reich recommended using gable roof and square windows, not to take away from the historic structure.

Ms. Zoren said agreed with Staff's comments. She said the addition takes prominence from the church. She said the addition should be less visible by tucking it a little bit behind the church, or installing a link coming from the other building. Ms. Zoren said whether the windows are arched or rectangular, they should all match. Ms. Sherrice said the way Montgomery Road curved, the view of the addition may not be prominent. The structure is tucked as far as possible without crossing into the cemetery.

Mr. Roth said the design was the ideal option given the constraints. Mr. Roth complimented the church on the preservation and revitalization plans, since there are not too many historic churches left in the County.

Motion: There was no motion. The application was for Advisory Comments.

HPC-18-35 – 6170 Lawyers Hill Road, Elkridge

Certificate of Approval to replace roof.

Applicant: Paige Zimmer

Background & Scope of Work: This property is located in the Lawyers Hill Historic District. This property is also listed individually on the Historic Sites Inventory as HO-748 and is referenced in the Lawyers Hill

Historic District National Register nomination form, HO-610, as a contributing structure to the Historic District. According to the HO-748 Inventory form, the structure dates to 1914.

In 2000 the HO-748 Inventory form for this property was created as a project to evaluate its eligibility for individual listing in the National Register of Historic Places. This was done as part of a noise barrier analysis, which was undertaken by the Maryland Department of Transportation. The HO-748 Inventory found that "the house was individually eligible for listing in the National Register of Historic Places under Criteria A and C because it is a simple example of Craftsman style constructed during the early 20th century development of Lawyers Hill."

The historic house currently has a slate roof and the Applicant proposes to replace the roof with EcoStar Majestic Slate, a synthetic shingle made with recycled rubber and plastics, in the color smoke gray. The Applicant quoted Chapter 6 of the Guidelines as justification for the replacement of the slate with the synthetic material stating, "The recommendation is to repair roofs and maintain their original material, using material close to the original size, color and texture. The original roof is slate material and has been repaired many times, which has become quite costly. If the original roofing must be replaced, use material similar to the original or characteristic of the building's style. Replacement with modern materials such as composition shingles may be approved if historically accurate roofing cannot be acquired for economic reasons."

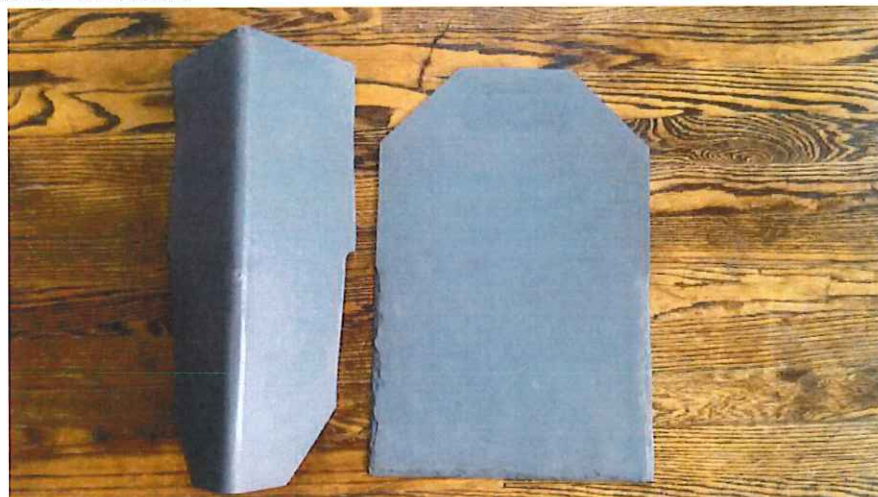


Figure 18 - Proposed synthetic product

Staff Comments: The application did not originally contain any product information for the proposed replacement material, aside from a general photograph of replacement composite shingle (which only showed the brand of the product). Staff requested a spec sheet for the proposed product and Applicant has since provided a spec sheet. The original photographs provided were taken from the ground looking at the historic slate roof and included some interior photos showing damage to the ceiling. Staff requested additional photographs taken from the third floor dormer and the Applicant provided those photographs.



Figure 19 - Close up view of slate roof



Figure 20 - View of slate roof

The Applicant quoted a guideline that explains that a composite roofing material may be used if historically accurate roofing cannot be acquired for economic or other reasons. However, the Applicant did not provide any quotes showing the cost of repair, in-kind replacement with slate, or replacement with the proposed synthetic material (of which the actual product and material is unknown). Staff has requested the Applicant provide quotes showing this information and the Applicant replied that they received a quote for \$38,000 to replace the roof with slate and \$19,000 to replace with the synthetic material. The application states that the roof has been repaired many times and that they have spent \$10,000 repairing the roof. However, the Applicant has not applied for tax credits for any of these repairs. Repairs costing \$500 or more are eligible for the County's 25% property tax credit. This property is a contributing structure that is located in both a local and National Register district and therefore is also eligible for the State tax credit, in which homeowners can earn a state income tax credit equal to 20 percent of qualified rehabilitation expenditures that cost \$5,000 or more, with a cap at \$50,000 in a 24-month period.

If the Applicant proposes to replace the roof in-kind with slate, the County's 25% tax credit program could be applied to the replacement. The 20% State tax credit could most likely be utilized for this scenario, and the Applicant should contact the Maryland Historical Trust for more information. If the Applicant utilized local and State tax credit programs, the estimated total tax credits could be around \$17,100.00, making the estimated out of pocket expenses for the replacement around \$20,900.00. Tax credits are not applicable for the synthetic product.

Approx. Cost of Slate Roof	\$38,000.00	Approx. Cost of Synthetic Slate	\$19,000.00
County 25% Property Tax Credit	\$ 9,500.00	County 25% Property Tax Credit	N/A
State 20% Income Tax Credit	\$ 7,600.00	State 20% Income Tax Credit	N/A
Estimated Final Cost of Slate Roof	\$ 20,900.00	Estimated Final Cost of Synthetic Roof	\$19,000.00

Figure 21 – Historic tax credit benefits

The photos that were initially submitted show the roof from the perspective of ground level and the condition of the slates is not visible. The interior photos show water damage in the ceiling. The Applicant submitted additional photos upon the request of Staff and some of the photos show that nails are missing from the slate. There has not been any documentation provided in the application that shows the slates are the source of the leak, requiring removal and replacement. Water can travel through a roof from a variety of sources, including flashing that is in disrepair and ice dams on the eaves. National Park Service *Preservation Brief #29, "The Repair, Replacement and Maintenance of Historic Slate Roofs*, explains, "Historic slate roofs should be repaired rather than replaced whenever possible. Before

replacing a slate roof, check for isolated damage, corroded and worn flashings, leaky gutters, poor ventilation in the attic, and other possible sources of moisture. All too often slate roofs are mistakenly replaced when, in fact, they could have been effectively repaired. Deciding whether an historic slate roof should be repaired or replaced can be difficult and each roof must be judged separately.” Brief 29 also explains, “Flashings are the weakest point in any roof. Given the permanence of slate, it is poor economy to use anything but the most durable of metals and the best workmanship for installing flashings. Copper is one of the best flashing materials, and along with terne, is most often associated with historic slate roofs. Copper is extremely durable, easily worked and soldered, and requires little maintenance. Sixteen ounce copper sheet is the minimum weight recommended for flashings. Lighter weights will not endure the erosive action of dust and grit carried over the roof by rain water. Heavier weight, 20 oz. (565 grams) or 24 oz. (680 grams), copper should be used in gutters, valleys, and areas with limited accessibility. Lead coated copper has properties similar to copper and is even more durable due to its additional lead coating.”

Before applying for a total roof replacement, the Applicant should submit evidence that shows the location and cause of water penetration. It is possible that only part of the slate roofing requires replacement. If a wholesale replacement is needed, the Applicant should determine if any of the existing slate can be salvaged and reused. This would require a contractor to take care when removing the slates. It is also important to know what kind of slate is on the house as slate comes in a variety of colors. Slate found in this region tends to be Peach Bottom slate, which is most likely the type on the house. *Preservation Brief #29* explains, “Pennsylvania HardVein slates and Peach Bottom slates, neither of which is still quarried, had life spans of roughly 100 and at least 200 years respectively. The durability of a slate roof depends primarily on four factors: the physical and mineralogical properties of the slate; the way in which it is fabricated; installation techniques employed; and, regular and timely maintenance.” According to National Park Service *Preservation Brief #29*, “the slates of Maine, Virginia and the Peach Bottom district of York County, PA are deep blue-black in color.” Any replacement slate should match the existing as closely as possible.

Brief #29 provides advice for maintaining a slate roof in good condition. For example, the Brief explains, “When many slates must be removed to effect a repair, the sheathing should be checked for rotted areas and projecting nails. Plywood is generally not a good replacement material for deteriorated wood sheathing due to the relative difficulty of driving a nail through it (the bounce produced can loosen adjacent slates). Instead, new wood boards of similar width and thickness to those being replaced should be used. Because the nominal thickness of today's dimension lumber is slightly thinner than that produced in the past, it may be necessary to shim the new wood boards so that they lie flush with the top surface of adjacent existing sheathing boards. Pressure treated lumber is not recommended due to its tendency to shrink. This can cause the slates to crack and become displaced.” Depending on how previous repairs were made, these issues could be contributing to the water related problems.

Section 16.607(a), Standards for review, of the County Code states that the Commission shall give consideration to following items when reviewing an application for Certificate of Approval:

1. The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.
2. The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.
3. The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.
4. Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

If a complete replacement of the slate roof is determined to be necessary, the replacement should be in-kind, with slate. The replacement with a synthetic product does not comply with the Standards for

Review in Section 16.607(a) of the County Code. The house is a contributing structure to the Lawyers Hill Historic District. The loss of significant historic features (and subsequent replacement with a synthetic material constructed from recycled rubber and plastic) on this house would diminish the relationship of this contributing resource to the overall historic district by removing important character-defining architectural features on a highly visible roof. Currently, the house is sided with painted cedar shake and has a slate roof and wood windows, all of which collectively represent the Craftsman building style found throughout Lawyers Hill.

The proposed synthetic slate shingles are constructed of recycled rubber and plastic. While there may be some variation in color due to the manufacturing process, there is not the level and polychromatic variation that is inherent with actual slate. The color on synthetic slates is dull and matte, whereas slate has more of a natural sheen because it is a metamorphic rock comprised of shale or mudstone that contains minerals such as quartz, feldspar, calcite, pyrite and hematite. A rubber and plastic product cannot replicate the aesthetic and visual qualities of natural slate. Slate tends to be thin but is very durable, whereas the synthetic version is much thicker and creates a bulkier, heavier appearance on the historic structure. The proportion, texture and quality of the natural product is not accurately replicated in the synthetic version, and therefore, they are not comparable products. Natural slate can be replaced with the same material, and the replacement can utilize the financial incentives that are available for proper in-kind replacement.

Staff Recommendation: Staff recommends Denial as submitted.

Testimony: Ms. Tennor swore in Paige Zimmer and Brian Zimmer. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms. Zimmer said the slate roof had been repaired many times in the past 10 years. Ms. Zimmer is certain that the moisture in the house was due to the rain leaking through the roof. Ms. Zimmer only wants to replace the roof on the main house not the sunroom, on the side of the house. Ms. Zimmer said the tax credit does not work for the emergency roof repairs they have had to make over the years.

Ms. Zimmer said the price of slate is double the price of the synthetic slate shingles. Ms. Zimmer said she cannot wait for the tax credit to process since the roof needs to be replaced immediately and she needs to pay for the materials up front. Ms. Zimmer said the cost of slate is a big issue. Ms. Zimmer said the individual slate tiles are fragile and the house is surrounded by many tall and mature trees that drop acorns and branches that damaged the roof. Mr. Zimmer said a professional roofer inspects the roof yearly and replace damaged tiles.

Ms. Holmes clarified that the Staff report did not state the roof was not the source of leakage, but based on the lack of details provided in the application, other roof components such as flashing or ice dams, could cause moisture issues, aside from just the roof tiles. Ms. Holmes updated the Applicant on the minor alteration approval process and tax credit pre-approval process that can expedite emergency repairs.

Mr. Zimmer showed the Commission two sample pieces of slate roofing used to patch in his roof. Mr. Roth said that one of the roofing tiles was not slate, but asbestos. The Applicants were unaware the material was asbestos and not slate.

Mr. Roth said asbestos was popular in the 1920s and 1930s, but has not been on the market since the 1940s. He said that in-kind replacement cannot be done since asbestos roofing is no longer available. Mr. Roth said a slate roof lasts about 100 years while asbestos lasts about 60 to 80 years. Mr. Roth said

the Commission needs to know if the roofing material is asbestos, with slate added in for repairs or vice versa.

Ms. Tennor asked if there are financing options to help with the Applicants up-front cost. Ms. Holmes said no. Ms. Burgess said only a property tax credit. Mr. Zimmer said the staff reports indicates there is not a 100% guarantee for the State tax credit. Ms. Holmes said that because she does not work for the State, she cannot say that it definitely qualifies, although it most likely does. The Applicant will need to contact the Maryland Historical Trust directly, to obtain their approval as the administrators of the State historic tax credit program.

Ms. Tennor asked if the roofer is replacing the composite material with real slate during repairs. Mr. Zimmer said he was unsure since he provided the roofer with the materials to patch the roof. Mr. Zimmer said he has about 8 of the tiles (same as the sample shown to the Commission) remaining, but the Applicant provided one slate and one asbestos sample to the Commission.

Mr. Reich asked the size of the roof. Mr. Zimmer said about 19 squares. Mr. Reich asked about the cost of the roof replacement. Ms. Zimmer said they were quotes about \$19,000 for the synthetic slate and \$40,000 for the real slate.

Mr. Reich asked about the labor cost. Mr. Zimmer said there was no breakdown of labor and material, the cost is combined cost. Mr. Reich suggested buying from direct suppliers that may reduce the cost of the materials. Mr. Zimmer said structures in Lawyers Hill are unique and several homes have asphalt shingles. Mr. Zimmer proposed to use the synthetic slate. Mr. Roth said the Applicant's current roof may not be slate. The Commission recommended the Applicant investigate and confirm what their roof material is.

Mr. Taylor said the testimony presented was that the roof on the main house has slate material, but was patched in with another material that Mr. Roth thinks is asbestos. Mr. Roth said the testimony is speculative. Mr. Taylor said the testimony is based on the roofer the Applicants hired advising the roof is slate. Mr. Taylor said assuming the current material is slate, would Mr. Roth deny the Application. Mr. Roth said he would not approve the application for a synthetic replacement if the roof was slate

Ms. Zoren said the first things that fail in the roof is the waterproofing underneath, not the slate that usually lasts 100-200 years. Although the roof has been patched, the underlayment has not been fixed. Mr. Zimmer said finding slate roof installers has been difficult.

Ms. Holmes asked the Applicants if they have heard of a roofing product called GAF TruSlate, which is a slate product that does not overlap compared to traditional slate. GAF TruSlate is half the size of traditional slate. Ms. Holmes said the installation technique is different compared to traditional slate. Ms. Tennor asked if the product would be eligible for State tax credits. Ms. Holmes said the Applicants would need to contact the State for the State to make that determination.

Ms. Zoren said a professional roofer should have flagged that the roof is not slate. Mr. Zimmer said he provided the materials for the roofers to patch.

Mr. Zimmer asked if the current roof material is asbestos, will he need to return to the Commission for approval of in-kind replacement. Mr. Taylor said the Guidelines states replacement of in-kind materials is Routine Maintenance, but since asbestos is no longer available, no replacement can be done. Mr. Zimmer asked if approval would be required if he wants to use asphalt shingles. Mr. Taylor said yes. The Commission said slate is preferred.

Mr. Reich said buying slate directly from suppliers in Vermont is cheaper than going through a local retailer. Ms. Zoren said a professional licensed roofer should look at the roof to determine if the material is slate. Mr. Roth agreed. Ms. Zimmer asked if approval would be required if the replacement is done with slate. Mr. Taylor said replacing slate with slate does not require approval and the Commission can approve for tax credit approval tonight. Mr. Taylor said the Commission can also approve the GAF TruSlate product and tax credit pre-approval tonight if the Applicants decide to select GAF TruSlate. Mr. Taylor said if Applicant needs more roofing material options, the Applicant can return to the Commission or contact Staff. Ms. Holmes said the Applicants should contact MHT about the 20% income tax credit for GAF TruSlate eligibility.

Motion: Mr. Roth moved to approve the tax credits for slate or GAF TruSlate product. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-36 – 3592 Fels Lane, Ellicott City

Certificate of Approval for exterior alterations (retroactive approval).

Applicant: Cleveland Ham

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the house dates to 1922. The Applicant seeks retroactive approval for the following alterations made to the house:

- 1) Roof - Removal of the 3-tab brown asphalt shingle roof and replacement with a gray architectural shingle roof.
- 2) Double hung windows - Removal of possible 2:2 wood windows and replacement with a 6:6 vinyl windows with an internal flat muntins.
- 3) Bay window - Removal of non-historic 15 light bay window and replacement with three a 6:6 vinyl windows with an internal flat muntins.
- 4) Shutters - Removal of vinyl shutters.
- 5) Siding - Removal of previous modern siding material and installation of a composite product to resemble cedar shake in an off-white color.
- 6) Doors - Removal of non-historic solid wood front door and steel security door and replacement with a ¾ light over 2 vertical panel steel front door and burgundy steel 1:1 Anderson storm door.

The following request is not retroactive:

- 1) Shutters - Proposed replacement shutters to be vinyl louvered in the color burgundy

The following items are alterations that were made, but not referenced in the current retroactive application:

- 1) Vent – Installation of a galvanized vent on center front of house.
- 2) Lighting – Replacement of front door exterior light with a white fixture.

Staff Comments: Generally, the alterations do not comply with the Ellicott City Historic District Design Guidelines, with a few exceptions. The replacement of the brown asphalt shingle roof with a gray architectural roof complies with Chapter 6.E recommendations, “use asphalt shingles that are flat, uniform in color and texture and of a neutral color.” There is now a galvanized metal vent on the center of the roof, facing the street, that was not previously there.



Figure 22 - Vent on roof



Figure 23 - Previous view of roof

Chapter 6.N recommends against “installing equipment on a roof section visible from a public way, unless no other option exists.” It is unclear if this vent could have been installed on the roof pitch facing the rear yard. However, the impact of the vent would be minimized if a finish that blended with the roof, as opposed to galvanized metal, had been used.

The application states that the wood windows were 1:1, but from Google Streetview it appears the windows were 2:2. It also appears the windows on the neighboring house, which is of the same architectural style, are also 2:2. This leads Staff to believe the subject windows were 2:2, which it visually appears to have been. The 6:6 windows installed are vinyl and have flat internal muntins. The Guidelines recommend against “installing windows with interior snap-in or sandwiched muntins, or other types of windows that do not have the appearance of true divided lights, on historic buildings, or in location visible from a public way.” The condition of the previously existing wood windows is unknown, however, Chapter 6.H recommends, “maintain and repair original window openings, frames, sashes, sills, lintels and trim. Maintain glass, putty and paint in good condition” and recommends against, “replacing sound wood windows and frames, even if paint, putty and glazing need repair or replacement.” The Guidelines recommend, “when repair is not possible, replace original windows, frames and related details with feature that fit the original openings and are of the same style, material, finish and window pane configuration. If possible, reproduce frame size and profile and muntin detailing.” The replacement windows are not of the same style and window pane configuration. The profile and muntin detailing no longer exist.



Figure 24 - Previous windows



Figure 25 - Current windows

The removal of the modern bay window feature partially complies with Chapter 6.H recommendations, “replace inappropriate modern windows with windows of appropriate style. If documentary evidence of the original windows is available, choose new windows similar to the original. Otherwise, select windows appropriate to the period and style of the building.” While the removal of the modern features complies with the Guidelines, the replacement windows do not comply. The original window arrangement is unknown, but the neighboring house is the same architectural style and has a three-part window that appears to be wood and historic. Since it is unknown if the neighboring style is original, the three double hung windows is an appropriate style for the building, but the actual replacement window does not comply as explained above.



Figure 26 - Previous bay window



Figure 27 - Current configuration



Figure 28 - Neighboring window configuration

The removal of the previously existing vinyl shutters also partially complies with the Guidelines. The previous shutters were not sized correctly for the windows and were vinyl, which the Guidelines recommend against. The Guidelines recommend, “install shutters or blinds of painted wood. Shutters or blinds should be correctly sized for the window and operable, or at least appear operable with hinges and hold backs (shutter dogs) appropriate to the period of construction.” The Guidelines recommend against installing “aluminum or vinyl shutters or blinds.” The proposed new shutters are also vinyl, which are not appropriate per the Guidelines. The neighboring house of the same style does not have shutters, although the majority of houses along Fels Lane do have shutters. If shutters are to be used, they should be wood in order to comply with the Guidelines.

The previously existing siding material is unknown. At the May HPC meeting the Applicant said he did not know what the previous siding material was, but thought it was cedar. Google Streetview shows the house in 2011, when the previous siding was still on. It is unclear from Google Streetview if the siding is a large asbestos shingle or a large cedar shingle. If it is cedar, it is not a typical shake and is not historic. The previous siding most likely dates to when the other alterations were made to the structure, such as the bay window and the replacement front door, which may be a 1970s alteration. Chapter 6.D explains, “many frame buildings have been covered with modern siding materials such as vinyl, aluminum, asphalt or asbestos. These treatments obscure the historic materials and details such as cornerboards and cornices, and can cause damage to the structure by sealing in moisture.” The neighboring house, of the same architectural style, has German lap siding as the primary siding and a staggered wood shingle in the gable. German lap siding is a historic siding material commonly found in Ellicott City, but cedar shake is quite rare in the district. Most likely this house had German lap siding underneath the previous shake material. The Applicant removed the previous siding without approval and installed Mastic Cedar

Discovery Shake siding in the color Linen. Staff requested a spec sheet of the siding material, but the Applicant did not provide one. The material of the siding is a polypropylene compound, which is a type of plastic. Chapter 6.D recommends against, “using vinyl, aluminum...or other substitute materials on historic buildings or additions to historic building.” The new material does not comply with the material recommendations in the Guidelines.



Figure 29 - Previous siding



Figure 30 - Current siding

The previously existing door was not a door of a historic style, although it was a wood door. The new door is a steel door that is of a contemporary style with etched glass over two vertical panels. The new door does not comply with the Guidelines, which recommend against “using door or door frames that are overly decorative, out of character with the style of the building, or imitative of styles that do not fit the period or style of architecture.” The etched glass is not appropriate for the historic district and clearly dates the door as being modern. Chapter 6.G recommends, “when a new door is needed, it should reflect the character of the original door. Simple paneled doors of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” Metal doors would only be appropriate for less visible secondary entrances.

The storm door has a sash in the middle of the door, which is typical of modern storm doors that have self-storing screens. The old storm door was not of a historically appropriate style, so the removal does not include the loss of historic building features. However, the new door does not comply with the Guidelines, which recommends, “on historic buildings, use narrow-framed wooden screen or storm doors. If the entrance is not highly visible from a public way, simple, narrow-framed screen or storm doors of painted or enameled metal may be used. The paint of enamel color should match that of the primary door it covers.” The new storm door is enameled metal, but was used on a highly visible location. The color of the storm door does not match the primary door it covers. The sash on the storm door also does not line up with any feature on the primary door; this style of door would have only been appropriate if the primary door had a half light over a panel and had a division in the middle of the door.

The new lighting fixture is a white fixture, which does not comply with the Guidelines. Chapter 9.E recommends, “use dark metal or a similar material.”



Figure 31 - Previous front door



Figure 32 - Current front door

Staff Recommendation:

The following alterations comply with the Guidelines and therefore Staff recommends Approval of:

- 1) The roof vent, if painted a color to blend with the roof.
- 2) The roof replacement to a gray asphalt shingle roof.
- 3) The removal of the bay window and the change to an arrangement of three double hung windows.

The following alterations do not comply with the Guidelines and if the application was not retroactive Staff would recommend Denial of:

- 4) The proposed vinyl shutters.
- 5) All windows installed.
- 6) The replacement siding.
- 7) The replacement exterior lighting, primary front door and storm door.

Testimony: Ms. Tennor swore in Cleveland Ham and Elsie Ham. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Mr. Ham said he understands vinyl shutters are not permitted but his neighbors have vinyl shutters on Fels Lane. Mr. Ham explained that years ago his basement was leaking so he removed the side porch for access and dug 12 feet deep to access the foundation wall to waterproof the structure. Mr. Ham said he did not understand the difference between a side porch and a deck Ms. Holmes said the historic houses on Fels Lane have historic porches built as part of the house but the Applicant had, as seen from Google street view, pressure treated wood landing off the sliding door. Ms. Holmes said the Applicant proposed a significantly larger deck, which is not an in-kind replacement.

Ms. Tennor said the discussion should be the vinyl shutters. Mr. Taylor read last month's Minutes: "Ms. Zoren stated she wanted the shutters back on in an appropriate color. Mr. Ham said shutters were decorative and vinyl." Mr. Taylor asked for clarification on the Staff recommendation for wood shutters, because the shutters that were removed were vinyl. Mr. Taylor asked if the shutters were replaced at the time the siding was replaced. Mr. Ham said shutters were not added back on when the siding was replaced. Mr. Ham said an in-kind replacement would be vinyl shutters since he purchased the house with vinyl shutters. Mr. Taylor said the previous month's minutes did not mention wood shutters. Ms.

Burgess said Staff did not have record that vinyl shutters were approved. Ms. Holmes said wood shutters were recommended in the Staff report because they are recommended in the Guidelines. Ms. Burgess said there may be other vinyl shutters on Fels Lane that are in violation. Mr. Taylor asked if the Applicant wants vinyl shutters. Ms. Ham said they do not want to put shutters back on. Mr. Taylor said the Applicant can withdraw the shutters. The Commission and Staff discussed whether or not to have in-kind vinyl replacement shutters or no shutters. Ms. Holmes said that Staff found it would be better not to have shutters.

Ms. Ham said her uncle owned the house before they did, and he replaced the roof without approval. Ms. Ham now understands pre-approval of work is needed. Mr. Ham said the old windows were not energy efficient and the siding was rotting. Mr. Ham installed energy efficient vinyl windows and vinyl siding. Mr. Ham said he was told a permit was not needed. Mr. Ham said financially, he cannot replace the existing windows and siding to bring them into compliance with the Guidelines.

Mr. Reich said the Commission can approve the items in compliance with the Guidelines. Mr. Taylor explained that the Commission is bound to the Guidelines. The Commission addressed smaller items that the Applicant may be capable of replacing to bring into compliance. Ms. Zoren said the front porch lighting fixture should be dark metal. Mr. Ham said the original one was white. Mr. Taylor asked if Mr. Ham is willing to install a dark metal lighting fixture. Mr. Ham said yes. Ms. Zoren said the front door and storm door should be wood without the stained glass. The Commission and Staff discussed what the style of the doors should be. Ms. Holmes said the current doors are an historically appropriate style with the panels, but the door material and stained glass does not comply. Mr. Reich said the Commission cannot approve the vinyl windows, vinyl siding, and the metal front doors.

Ms. Zoren said the Commission typically does not approve new business (in this case, the deck) when there are violations. Mr. Taylor said Mr. Ham is amending application to change front porch lighting fixture to the dark metal.

Motion: Mr. Reich moved to approve the following:

1. The roof vent, if painted a color to blend with the roof.
2. The roof replacement to a gray asphalt shingle roof.
3. The removal of the bay window and the change to an arrangement of three double hung windows.
4. The installation of a dark metal lighting fixture on the front porch, to be approved by Staff.

Mr. Reich moved to deny the following:

1. All windows installed.
2. The replacement siding.
3. The replacement of the primary front door and storm door.

Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-37 – 3592 Fels Lane, Ellicott City

Certificate of Approval for exterior alterations (new deck and related items).

Applicant: Cleveland Ham

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the house dates to 1922. The Applicant seeks approval to install a 15-foot wide by 10-foot deep composite deck off the rear of the property and set the elevation 16 inches below the retaining wall that

runs parallel to the house. The deck majority of the deck would be located behind the retaining wall; only about two feet would be behind the house. The Applicant also proposes to install an 8-foot wide by 6-foot privacy fence attached to the house and sitting on top of the retaining wall. A 4-foot by wide by 8-foot long curving walkway would connect the side sliding door to the deck. The application explains that the location of the deck was chosen so that it did not encroach on the rear basement entry door and that is why the deck is shifted north.

The Applicant proposes to install evergreen shrubs in front of the sliding door stoop and walkway, to reduce the visibility. The Applicant seeks the Commission recommendations on what to plant.

The Applicant proposes to construct a new stoop off of the side sliding door. The new stoop would be no larger than 3 feet deep by 8 feet wide and would consist of one step down and would be centered along the width of the door. The Applicant proposes to use pressure treated wood or concrete, subject to Commission approval.



Figure 33 - View of side of house



Figure 34 - View of side and rear yard

Staff Comments: The Applicant has changed the location of the deck from the May application, but has still not provided information requested by the Commission, such as specs on the proposed railings. There are also no clear specs for the decking, other than a picture submitted with the May application.

Chapter 7.B explains, "proposals to add decks of unpainted, pressure treated wood to the rear of historic buildings are not uncommon. Although these additions are obviously modern, they usually obscure little of the building façade and require little change to historic building features. Decks should not be added to a historic building's primary façade or a façade highly visible from a public way. They should be substantial in appearance...and should be related in detail as much as possible to the style and character of the building." The location of the proposed deck is offset from the house and the deck will have little relationship with the house. It would be more appropriate to construct a patio off of the side sliding door or below the retaining wall, where the deck is proposed. Chapter 7.C recommends, "design new porches and decks to be simple, compatible in design with the existing building, and in scale with the existing building is size and roof height." A deck detached from the house is not in scale with the building, is not a typical arrangement and is not seen in the Historic District.

Gray square pavers are proposed for the walkway, although the exact product is unknown. The Applicant states that they could use the same product approved at 3646 Fels Lane. The pavers shown in the photo, and those used at 3646 Fels Lane, comply with Chapter 9.D, "construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone."

Regarding the proposed pressure treated wood or concrete stoop, the Guidelines recommend, "stoops and exterior stairways may be of poured concrete rather than wood if the location is unobtrusive or is masonry construction is more appropriate because concrete or stone is used or similar features on neighboring historic buildings." There does not appear to be a strong precedent for concrete on Fels Lane, but there are steps of painted wood.

The Applicant proposes to install a 6-foot high closed board privacy fence. Chapter 9.D recommends, "install open fencing, generally not more than five feet high, of wood or dark metal. Use closed wood

fences only for side and rear yard in areas where a precedent exists." There does not appear to be any closed board fences along Fels Lane, so there is no precedent for this fence style.

Staff Recommendation: Staff recommends Approval of the paver walkway and a painted wood stoop. Staff recommends Denial of the deck and privacy fence as proposed.

Testimony: Cleveland Ham and Elsie Ham were sworn in on the previous case. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Mr. Ham said he understood the Commission's recommendations that the deck should not be visible from the public road. Mr. Ham proposed to build the deck 16 inches below the top of the brick wall which would hide the deck from public view. Ms. Tennor asked if the railing will be visible. Mr. Ham said the 36 inches tall railing will be visible from the back of the house.

Mr. Reich asked what fence types have been approved in Ellicott City. Ms. Holmes said wrought iron, wood picket and split rail fences have been approved in the historic district (in areas such as Sylvan Lane). Mr. Reich ask if the proposed fence is for privacy for the deck. Mr. Ham said yes. Mr. Reich said landscaping would be another option for privacy. Mr. Ham said he would like to install brick pavers that would not permit planting. Ms. Holmes said the proposed detached deck would be odd, a patio would be ideal. Ms. Zoren said a side patio would work. Ms. Tennor said the Applicant already purchased the plastic/composite decking material. Mr. Taylor said a patio is more historically appropriate. Ms. Holmes said the Applicant can build the patio on the side of the house where the deck was originally proposed.

Ms. Tennor asked about the location of the proposed deck. Mr. Ham said he selected the deck location because he did not want the rear door to be underneath the deck. Ms. Zoren sketched a drawing for the deck on the back of the house and the walkway to the side of the house that would be acceptable by the Commission. Ms. Burgess asked if the Applicant is clear about Ms. Zoren's recommendations. Mr. Ham said yes and he is in agreement with Ms. Zoren's proposed sketch. Ms. Zoren said the paver walkway is no longer needed. Ms. Zoren's recommendation puts the deck behind the house, with a small portion extending beyond that is sufficient for egress from the house.

Ms. Tennor asked if the Applicant is amendable with Ms. Zoren's sketch of the deck design. Mr. Ham said yes. Ms. Tennor said the Application has been amended.


Motion: Ms. Zoren moved to approve the amended application to location as shown on the sketch plan that Staff has. The privacy fence is denied. Mr. Reich seconded. The motion was unanimously approved.

OTHER BUSINESS

Mr. Taylor moved for the meeting to go to closed session to discuss Decision and Order language. The meeting went into closed session at 10:59pm.

Ms. Tennor moved to adjourn. Ms. Zoren seconded. The motion was unanimously approved and the meeting was adjourned at 11:30 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.



Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner



Yvette Zhou, Recording Secretary